

Federal Communications Commission
Office of Engineering and Technology
Laboratory Division

Permit But Ask Procedure (PBA)

This document describes a procedure whereby test firms, manufacturers, and responsible parties (per Section 2.909 - parties responsible for compliance of radio frequency equipment) may obtain FCC guidance for testing of devices identified in the Permit But Ask List (see attachment to this Knowledge Data Base (KDB) publication). It is important to note that the information below is intended to provide basic guidance for approval of a broad range of devices. It remains the responsibility of the TCB to ensure that the entire FCC Form 731 Application for Equipment Authorization (Form 731) submitted under the PBA procedure, is in accordance with FCC rules and policies.

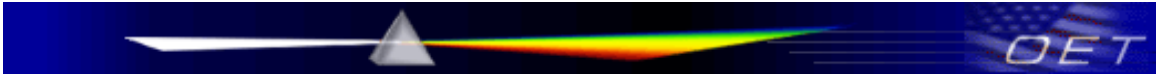
1) Permit But Ask Conditions:

Refer to Attachment [388624 D02 Permit But Ask List](#) in this KDB for a list of devices subject to PBA. This attachment also gives guidance specific to those devices included on the list.

2) Permit But Ask Process:

The Permit But Ask process is intended to enhance the authorization approval process for devices identified in the PBA list. In many cases, guidance for these devices has been established and/or documented, and the PBA is a validation of compliance of a device with established guidance. In other cases, the process may begin with guidance requests from initiating entities such as test firms, manufacturers, etc. who wish to expedite the equipment authorization process and request FCC guidance prior to submitting data to a TCB for final approval and issuance of a Grant of Equipment Authorization (Grant). The time from initial guidance request (whether from a non-TCB or TCB) to issuance of a Grant can be lengthy, depending on the complexity of the device, the necessity for multiple PBA requests for a single authorization, etc. Existing guidance should therefore be used to the maximum extent possible. The PBA processing time can be minimized by the submittal of complete, well-organized and understandable documentation. The following definitions are intended to assist in understanding of the FCC requirements:

- a) Pre-TCB PBA – Preliminary Permit But Ask Guidance for non-TCBs. In order to expedite equipment authorization, test firms, manufacturers and responsible parties that plan to apply for equipment authorization through a TCB for listed devices on the attached PBA Conditions list, may request FCC guidance for the test methods and measurements (or other issues) related to the evaluation of the device. The associated document lists the devices and conditions under which a PBA is required. In many cases, a preliminary guidance has already been published indicating either a general test procedure or the type of information that should be submitted to the FCC for review. Thus, for example, in the case of SDR applications, it is required that the party submit the appropriate description of the software or for the case of test procedure a preliminary test plan may be submitted if different from the



guidance. Ideally, such guidance should be requested before testing begins. Once the tests are completed, the applicant should submit the test reports with the guidance provided by the FCC to the TCB, in order to expedite the TCB PBA process. Note that this Pre-TCB PBA has a unique KDB Inquiry Number(s). It is possible that in some cases different PBAs need to be submitted to cover guidance for each unique area. Thus, for example, for a WiMax SDR dongle operating under Part 90Z may require separate guidance to address each of the unique areas of WiMax SAR, SDR and Part 90Z rules and these should be done with separate KDB Inquiry numbers;

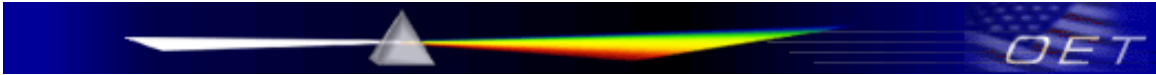
b) TCB PBA – FCC Guidance to TCBs for PBAs. A TCB is responsible for ensuring that guidance is received from the FCC for testing of the devices on the PBA Conditions list (see item 1). That guidance may be initially requested by the test firm, manufacturer, or responsible party according to the guidelines; or the guidance may be requested as part of a KDB Inquiry. The TCB shall access the KDB from within the TCB logon on the OET/TCB Electronic Filing Web site, to submit a PBA request. This KDB Inquiry is unique to the TCB PBA process, and therefore has a unique KDB Inquiry Number that is distinct from the number described in 2) a).

c) TCB Granting PBA – This PBA is the final step in authorizing the TCB to grant an application subject to a PBA. After the TCB receives permission from the FCC to finalize the Form 731 and has entered all information into the Form 731, the TCB shall submit a final inquiry response in the KDB. Note that the KDB Inquiry Number associated with the TCB Granting PBA should be the same as the original TCB PBA; or in the case of multiple PBAs under one authorization should be the same as the PBA described in 2) d). The message in this inquiry response should include the Form 731 Confirmation Number (TC#), FCC ID and a declaration that the Form 731 has been submitted and is ready for FCC review. After review of the Form 731 and the KDB Inquiry for consistency with the PBA guidance, the FCC reviewer will modify the application to permit the Grant to be issued, and inform the TCB through the KDB (under the same KDB Inquiry Tracking Number) that the Grant can be issued

d) Multiple PBAs – If an authorization requires multiple PBAs for the Pre-TCB PBA and / or TCB PBA phase, note in each PBA request that the current request is one of “X (number of requests)” submitted to the FCC. In addition, upon approval of all PBAs associated with the authorization, a final PBA should be submitted using the “Multiple PBAs” option as the Second Category. This final PBA will generate a new KDB Inquiry Number. The request should list all approved PBAs related to the authorization request.

3) Special Circumstances

a) Permissive Changes – It is not necessary to file additional PBA requests for an application for a permissive change to a device that has been previously approved through a manufacturer or laboratory using the Pre-TCB PBA procedure, or has been previously approved by a TCB. All permissive change rules apply to the device, and the device must therefore be electrically identical to the device previously approved under a PBA.



- b) Previously issued KDB guidance – a TCB may use guidance established in a former KDB inquiry and only request a TCB Granting PBA (see 2) c)), provided the KDB Inquiry Number is specifically identified, and the TCB provides assurance that the guidance is applicable to the current device.
- c) Care should be taken in sharing KDB Inquiry Tracking Numbers among other applicants, test firms, manufacturers, and TCBs, to ensure that proprietary information that might be imbedded in the KDB Inquiry is appropriately safeguarded.

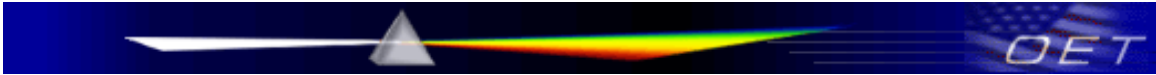
4) Category List(s)

For Non-TCBs

- a) Permit But Ask Guidance for Non-TCBs
 - i) 3650 – 3700 MHz
 - ii) Cognitive / Software Defined Radio
 - iii) EMC/Radio Parameters
 - iv) Evaluation of SAR
 - v) Long-Term Confidentiality (Manuals; Int Photos)
 - vi) Multiple PBAs
 - vii) Other

For TCBs

- a) Permit But Ask Inquiry
 - i) 3650 – 3700 MHz
 - ii) Cognitive / Software Defined Radio
 - iii) EMC/Radio Parameters
 - iv) Evaluation of SAR
 - v) Long-Term Confidentiality (Manuals; Int Photos)
 - vi) Multiple PBAs
 - vii) Other



Change Note:

388624 D02 Permit But Ask Procedures v01 replaces 388624 Permit But Ask v06

This document represents a significant change to previous guidance. The previous document has been separated into 388624 D01 Permit But Ask List v07 which describes the Permit But Ask Conditions, and this document, which describes the procedures for submittal of a PBA

388624 D01 Permit But Ask v06 replaces 388624 D01 Permit But Ask v05

Change 1

The following items were added to the list of devices b) Evaluation of SAR:

ii) Long Term Evolution (LTE) devices.

iv) 802.20 / iBurst / HC-SDMA was added to the Permit But Ask list, item 1 Evaluation of SAR, as item b (iii)

Change 2:

1 c) Other

Has been changed to:

1 c): Special circumstances: i) Special requests for permanent confidentiality have been added to the Permit But Ask procedure.

388624 D01 Permit But Ask v06r01 replaces 388624 D01 Permit But Ask v06

1) b) Evaluation of SAR item (ii) 3GPP2 EV-DV was added

388624 D01 Permit But Ask v06r02 replaces 388624 D01 Permit But Ask v06r01

Date entry in previous version (V06r01) 10/02/2008 was incorrect and replaced with the current date published 9/1/2009

388624 D01 Permit But Ask v06r03 replaces 388624 D01 Permit But Ask v06r02

Corrected spelling error in Change Note: **388624 D01 Permit But Ask v06 replaces 388624 D01 Permit But Ask v05 from** “The following items were added to the lost of devices” to “The following items were added to the list of devices”

388624 D01 Permit But Ask Procedure v06r04 replaces 388624 D01 Permit But Ask v06r03

Deleted PBA Conditions, and replaced with reference to “Please refer to Attachment 388624 D01 Permit But Ask List v07 in this KDB for a list of devices subject to PBA” Changed title of Attachment to 388624 D01 Permit But Ask Procedure v06r04

03/11/2010: D01 Permit But Ask Procedure v08 replaces 388624 D01 Permit But Ask v06r04

D01 Permit But Ask Procedure v08 is an extensive rewrite of 388624 D01 Permit But Ask v06r04. Note: D01 Permit But Ask Procedure v07 was not a published version.